



TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/056,000
		Filing Date	January 28, 2002
		First Named Inventor	James COLEMAN
		Art Unit	2841
		Examiner Name	Vit W. Miska
Total Number of Pages in This Submission		Attorney Docket Number	532412000100

ENCLOSURES (Check all that apply)		
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<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Barry E. Bretschneider – 28,055
Signature	
Date	November 18, 2004



PATENT
Docket No. 532412000100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

James COLEMAN

Serial No.: 10/056,000

Filing Date: January 28, 2002

For: WATER FEATURE

Examiner: Vit W. Miska

Group Art Unit: 2841

RESPONSE UNDER 37 CFR 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Action dated August 25, 2004, please reconsider this application in light of the following Remarks.

REMARKS

Applicant thanks the Examiner for allowing claim 15 and indicating that claims 9-14 and 20 are directed to patentable subject matter. In view of the allowability of the remaining claims in this application, applicant respectfully declines to amend them at this time.

Claims 1-4 and 7 stand rejected as anticipated by Hess. This rejection is respectfully traversed.

Hess does not at all disclose a water feature as claimed in claim 1 but instead discloses a simple water clock in which the time is indicated by the heights of a plurality of *static* water columns, which Hess terms time keeping reservoirs. Contrary to the Examiner's suggestion, Hess does not disclose "controlling the rate of water inlet in comparison with the water outlet